

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
Civil Action No.: 3:02CV193

BEAR CREEK MINERALS, LLC,
SANDRA A. FISCHER, IRA,
JOHN MAZZACCA, and
RON E. PEELE

Plaintiffs/Counterclaim Defendants,

v.

ZEMEX INDUSTRIAL
MINERALS, INC.

Defendant/Counterclaim Plaintiff.

ORDER

It Is Hereby Ordered, Adjudged and Decreed, pursuant to the stipulations of the parties,
that:

- (a) Plaintiffs/Counterclaim Defendants Bear Creek Minerals, LLC, Sandra A. Fischer, IRA, John Mazzacca and Ron E. Peele's (collectively, the "Plaintiffs") claims against Defendant/Counterclaim Plaintiff Zemex Industrial Minerals, Inc. ("Defendant") hereby are dismissed with prejudice;
- (b) Defendant's counterclaims against Plaintiffs hereby are dismissed with prejudice;
and
- (c) The parties shall pay their own costs, expenses and attorneys' fees.

IT IS SO ORDERED.

Signed: March 28, 2006

A handwritten signature in black ink, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen
United States District Judge

